



October 8, 2024

Larry Washington, Board Chair
Rhonda Aluise, CEO
KIPP New Orleans Schools
1055 St. Charles Avenue, Suite 400
New Orleans, LA 70130

Re: Notice of Non-Compliance Special Education, Level 2

Dear Mr. Washington and Mrs. Aluise:

I am writing to inform you that KIPP New Orleans Schools (KNOS), operator of KIPP East Community Primary ("KIPP East"), is receiving this Notice of Non-Compliance, Level 2, related to special education. Level 2 is appropriate because of the harm to the student's educational rights due to a denial of Free Appropriate Public Education (FAPE).

NOLA Public Schools (NOLA PS) was made aware of allegations that a student did not receive special education services during the 2023-24 school year. According to the parent, the student has multiple medical illnesses that prevent the student from physically attending school. Per KNOS personnel, the student never physically attended school. Upon enrollment and despite parent attempts to communicate with KIPP, staff did not schedule an IEP meeting with the family. There was no indication that the IEP team had convened and no indication that any instructional or related services were provided. The student did not attend a full-day early childhood program. The student's previous IEP included walk-in services. The previous IEP also states that those services were to be readdressed upon the student's enrollment in kindergarten.

The student was enrolled at KIPP East on October 25, 2023. KNOS obtained jurisdiction of the student's records in eSER on November 10, 2023. KNOS retained jurisdiction of the student's records in eSER. NOLA PS requested the student's Prior Written Notice (PWN), Individualized Education Program (IEP), and Service Logs for SY2023-2024. On July 16, 2024, KNOS provided the student's IEP; the provided IEP expired as of May 16, 2024. A review of the student's attendance record showed that the student was marked absent every day. Most of the absences were excused absences; however, in March the records show that some days were logged as unexcused absences. KNOS provided a communication log that only contained two entries for November 9 & 10, 2023. There were no additional entries on the log. KNOS stated that the student's attendance code changed from *Absent Excused* to *Absent Unexcused* because, "No

excusal documentation was provided for the excused absences.” KNOS did not provide the other requested documentation and stated that, “The DSS is no longer employed with KNOS, and we do not have access to the signed copy of the PWN.”

The student’s parents attended a virtual IEP Team Meeting on August 21, 2024. On August 29, 2024, NOLA PS requested a copy of the Prior Written Notice to the family, the student’s new IEP, Homebound schedule, and the student’s attendance for the 2024-2025 school year. On August 29, KNOS personnel stated that the school was waiting to obtain signatures from the student’s doctor to begin instructional and related services. On September 5, 2024, KNOS submitted a draft IEP that was not created in eSER, a proposed Homebound Plan and schedule, Letter of Revocation Consent, and medical consent forms. The IEP that is currently in eSER is expired. KNOS also submitted the student’s attendance record, which indicated that the student was marked *Absent Excused* August 6-September 9, 2024. As of October 7, 2024, the student had not begun to receive services for the 2024-2025 school year.

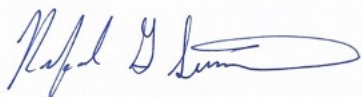
Pursuant to BESE Bulletin 1706: Regulations for Implementation for the Children with Exceptionalities Act, “A free appropriate public education shall be available to all students residing in the state between the ages of 3 and 21, inclusive, including students with disabilities...”

To address this non-compliance and return to good standing as it relates to this matter, KNOS shall complete the following by November 8, 2024.

1. Update the IEP in eSER and provide a copy of the final IEP. Also provide a schedule of instructional and/or related services upon completion.
2. Review services to determine compensatory services owed for SY23-24 and SY24-25. Provide a copy of the compensatory services letter to the parent, including the proposed plan for provision and the family’s response. The school must offer compensatory services even if the student transfers to another school.
3. Provide evidence of the provision of agreed upon services to NOLA PS no later than November 8, 2024.

Failure to complete the above requirements by the dates indicated may result in escalated consequences. If there are any questions, please feel free to reach out to Dr. Trenell Jackson, Director of School Accountability, at tjackson@nolapublicschools.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "Trenell Jackson", is written over a light blue horizontal line.

Rafael Simmons
Chief Portfolio Innovation and Accountability Officer